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 Citifinancial Inc

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION**

In re

LINDA A. GONZALES,  
 Debtor.

Case No. 08-10158

Chapter 7

DC No.: PD-1

**EX PARTE MOTION TO  
 REOPEN BANKRUPTCY CASE**

**Hearing:** [No Hearing Required]

Citifinancial Inc (the "Movant"), by and through its undersigned counsel, hereby moves this Court pursuant to sections 105(a) and 350(b) of title 11 of the United States Code (the "Bankruptcy Code"), Federal Rules of Bankruptcy Procedure 5010, and Local Bankruptcy Rule 5010-1 (the "Bankruptcy Rules") for entry of an order reopening the above-captioned bankruptcy case for the limited purpose of allowing Movant to file the Redaction Motion (as defined below) and to implement the relief requested therein based on the following grounds:

1. Movant filed a document that now appears on the Court's docket or claims register in which Movant imperfectly redacted certain confidential customer information contained therein (the "Designated Filing").

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2. In order to remediate the Designated Filing, Movant hereby seeks authority pursuant to sections 105(a) and 350(b) of the Bankruptcy Code and Bankruptcy Rules 5010 and 5010-1 to reopen the above-captioned case for the limited purpose of allowing Movant to file a motion (the "Redaction Motion"), pursuant to which it will request that the Court, inter alia, restrict remote electronic access to the Designated Filing and authorize the filing of a corrected replacement filing (the "Replacement Filing"). Except for the correction of any imperfectly redacted customer information, the Replacement Filing will be identical to the Designated Filing in all respects.

3. The decision to reopen a case is left to the discretion of the Court. *In re Coogan*, 36 B.R. 621, 623 (Bankr. S.D. Ohio 1984). "The effect of [§ 350(b)] is merely to resurrect the court file from the stacks of the closed cases, or even from the archives, to enable it to receive a new request for relief." *In re David*, 106 B.R. 126, 128 (Bankr. E.D. Mich. 1989); *In re Leach*, 194 B.R. 812, 815 (Bankr. E.D. Mich. 1996) ("The reopening of a case is of no independent legal significance or consequence."). For the reasons set forth above, Movant submits that there is ample cause to reopen the case in order to permit Movant to file the Redaction Motion and to protect the information contained in the Designated Filing.

4. Movant further respectfully requests that the Court re-close this case immediately following completion of the relief requested in the Redaction Motion.

WHEREFORE, Movant prays for an Order from the Court granting Movant's Motion for the limited purpose of allowing it to file the Redaction Motion in the above-captioned case.

Respectfully submitted,

PITE DUNCAN, LLP

Dated: May 17, 2013

/s/ Robert P. Zahradka

ROBERT P. ZAHRADKA

Attorneys for *Creditor* Citifinancial Inc